Our Ref: Q76736 Art Unit: 2878

REMARKS

Information Disclosure Statement:

Applicant thanks the Examiner for initialing and returning Form PTO/SB/08 A & B filed

on September 14, 2004, thus indicating that the references listed thereon have been considered.

35 U.S.C. § 103(a) Rejection - Claims 1-11:

Claims 1-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over

European Patent No. EP 898 421 to Imai (assigned to FUJI PHOTO FILM CO., LTD.) in view

of U.S. Patent No. 5,686,733 to Fallone et al., in further view of U.S. Patent No. 5,729,021 to

Brauers et al.

As the Examiner acknowledges, Fallone discloses doping of an a-Se layer with As and

Cl. However, Fallone does not teach or suggest providing an electrode layer directly on the a-Se

layer by vapor deposition, as in the present invention. On the other hand, Brauers discloses

doping a cladding layer formed of a-Se with As. Brauers does not, however, disclose providing

an electrode layer on the cladding layer by vapor deposition.

Applicant respectfully submits that obviousness cannot be established by simply

combining the references, absent some suggestion or teaching within the references supporting

the combination. Carella v. Starlight Archery, 804 F.2d 135, 231 USPQ 644 (Fed. Cir. 1986).

In the present case, there is no suggestion or teaching to combine the cited references.

For example, none of the cited references solve the problem of crystallization within a

recording light photoconductive layer, due to direct vapor deposition of an electrode layer

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thereon. Accordingly, one would not have been motivated to apply the doping disclosed in Fallone and Brauer, to the radiation image recording medium of Imai, nor would it have been obvious for one skilled in the art to combine the teachings of the references. Moreover, to further emphasize the distinctions between claims 1 and 8, and the applied art, these claims are amended to recite that the second electrode layer is formed on the recording photoconductive layer by vapor deposition. This feature, in combination with the other recited feaures, contibutes to providing a novel and unobvious image recording medium that is neither taught nor suggested by the applied art.

Accordingly, the rejection of claim 1 and 11 under 35 U.S.C. § 103(a) should be withdrawn. The rejection of claims 2-10 should similarly be withdrawn at least due to these claims respectively depending from claim 1.

35 U.S.C. § 103(a) Rejection - Claims 12-17:

Claims 12-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Imai in view of Fallone, in further view of Brauers, and in further view of U.S. Patent No. 4,990,420 to Urabe.

Urabe discloses resistance heating deposition as a method for forming a recording photoconductive layer including Se. However, the disclosure of Urabe merely mentions that a resistance heating deposition method exists. Urabe does not, however, disclose that resistance heating deposition is employed to cause the concentration of As, at the surface of a photoconductive layer, to be higher than that within the bulk of the layer, that is, to prevent crystallization at the layer of the photoconductive layer due to vapor deposition of electrodes

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thereon, unlike the features provided by the inventions of claims 12 and 15. Urabe does not

solve the problem of suppressing crystallization of a recording photoconductive layer due to

vapor deposition of an electrode layer thereon.

Accordingly, one would not have been motivated, or found it obvious, to combine the

teachings of Imai, Fallone and Brauer to perform doping, nor would one have been motivated to

employ the resistance heating deposition disclosed in Urabe. Moreover, to further emphasize the

features of claims 12 and 15, these claims are amended to recite that the second electrode layer is

formed on the recording photoconductive layer by vapor deposition, afer the recording

photoconductive layer is formed. As one skilled in the art would apprecite, this feature further

emphasizes the novel and unobvious aspects of claims 12 and 15, while further supporting the

lack of teaching or suggestion to combine the refereces.

Accordingly, the rejection of claims 12 and 15 under 35 U.S.C. § 103(a) should be

withdrawn. The rejection of claims 13, 14, 16 and 17 should similarly be withdrawn at least due

to these claims respectively depending from claims 12 and 15.

Conclusion:

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

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AMENDMENT UNDER 37 C.F.R. §1.114(c)

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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